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**FACSIMILE TRANSMISSION SHEET**

DATE : February 23, 2005

TIME : 2:18 pm

OPERATOR : Robin Davin

TO : Attn: Examiner Mark Ruthkosky  
U.S. PATENT AND TRADEMARK OFFICE

FACSIMILE NO : (571) 273-1291

FROM : David S. D'Ascenzo

OUR FILE : NPW 308B

RE : U.S. Patent Application Serial No. 09/872,776

TOTAL NO. PAGES: 7 (INCLUDING COVER SHEET)

**Examiner Ruthkosky:**

Attached is a copy of our July 9, 2001 Response to Notice to File Missing Parts for U.S. Patent Application Serial No. 09/872,776. The Response includes Power of Attorney and Declaration for Patent Application documents. If you have any questions, or require any additional information, please let me know.

**David S. D'Ascenzo****X ORIGINAL WILL NOT FOLLOW**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

July 9, 2001

In re Application of:

THOMAS G. HERRON

Serial No. : 09/872,776

Group Art Unit: 1745

Filed : June 1, 2001

For : SYSTEM AND METHOD FOR OPTIMIZING  
FUEL CELL PURGE CYCLESBox MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION**

Enclosed for filing in connection with the above-identified patent application is a Power of Attorney and a Declaration for Patent Application.

Also enclosed is a duplicate copy of the Notice to File Missing Parts of Nonprovisional Application, together with our check in the total amount of \$1254.00 for payment of the basic filing fee (\$710.00), the extra claims fees (\$414.00) and the surcharge for filing these documents subsequent to the filing date of the application (\$130.00). The Commissioner is hereby authorized to charge any additional fees

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Serial No. 09/872,776

which may be required, or credit any overpayment to Account No. 11-1540. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

KOLISCH, HARTWELL, DICKINSON,  
McCORMACK & HEUSER



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CERTIFICATE OF MAILING

I hereby certify that this correspondence, the attached Power of Attorney, Declaration for Patent Application, copy of Notice to File Missing Parts..., and a check in the amount of \$1254.00 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on July 9, 2001.



David S. D'Ascenzo



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,776	06/01/2001	Thomas G. Herron	NPW 308B

CONFIRMATION NO. 1938

## FORMALITIES LETTER



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Date Mailed: 06/20/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$414.  
    ■ \$414 for 23 total claims over 20.
- The oath or declaration is missing  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1254.

*A copy of this notice **MUST** be returned with the reply.*

  
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Initial Patent Examination Division (703) 30 -1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE